

PART He-C 6910 EMPLOYMENT RELATED CHILD CARE SCHOLARSHIP ELIGIBILITY

Readopt with amendment He-C 6910.06, effective 7-10-17 (Document #12221), cited and to read as follows:

He-C 6910.06 Financial Eligibility Requirements.

(a) To be financially eligible for child care scholarship, a family shall meet at least one of the requirements set forth in in (1)–(4) below:

- (1) Be receiving TANF financial assistance from DHHS, whether participating in NHEP or exempt from participation in NHEP in accordance with He-W 637.04;
- (2) Be receiving TANF-related medical assistance as described in RSA 167:82, VI;
- (3) Have applied for TANF financial assistance but not yet been approved and the applicant is participating in NHEP; or
- (4) Meet the gross income limit described in (b) below.

(b) Families shall be determined income eligible for child care at application if their monthly gross income for the appropriate family size does not exceed 220% Tier 1, of the “Poverty Income Guidelines for All States (except Alaska and Hawaii) and the District of Columbia.”

(c) All sources of gross income shall be counted when determining financial eligibility and family cost share for child care, except those specified below:

- (1) The income of any grandparent, when 3 generations are living in one household;
- (2) Child foster care payments;
- (3) Adoption subsidies;
- (4) Any educational assistance, student loans, or scholarships used to cover educational expenses, such as tuition and mandatory fees, books, and school related travel;
- (5) The income of a caretaker relative or a legal guardian and his or her spouse, unless the caretaker relative or legal guardian is also applying for child care assistance for his or her own child(ren), in which case his or her income and the income of his or her spouse shall count in the determination of eligibility for all of the child(ren);
- (6) Money received from AmeriCorps Volunteers in Service to America (VISTA);
- (7) Earned income from a dependent child(ren), as defined in He-W 601.03(e), who is a full-time student attending primary or secondary school or equivalent pursuant to RSA 167:80, IV(b); and
- (8) Supplemental Security Income (SSI), when the recipient of the SSI benefit is a dependent child, as defined in He-W 601.03(e).

(d) For self-employment, countable income to determine eligibility shall be the net monthly income from sales, services, or other business activities, after deducting business expenses.

(e) Monthly gross income shall be determined in accordance with He-W 744.01 or He-W 744.03.

(f) Resources, as defined in He-W 601.07(f) including both personal and real property shall not be counted when determining financial eligibility and family cost share for child care scholarship unless the total countable resources exceed one million dollars in assets.

(g) Fluctuating income shall be identified and calculated as:

(1) Earned income that is averaged when it varies from month to month such as when an individual works varying hours, overtime, or on a piece work basis;

(2) Unearned income that is averaged when it varies from month to month such as child support, alimony, disability payments, or other sources of unearned income due to changes in the frequency or amount of receipt; or

(3) Earned income that is annualized when:

a. The parent indicates that the current income does not reflect the total assistance group's income of the next 12-month period;

b. The assistance group's income varies from season to season, such as when an individual works different employment in the winter months compared with the summer months; or

c. The parent is self-employed.

(h) Countable income, pursuant to He-C 6910.06(e), shall be determined at the initial application and converted to a monthly amount by:

(1) Averaging income using 4 current consecutive weeks pursuant to He-W 744.03(e);

(2) Annualizing the earned income of the previous 12-month period when such income represents a best estimate of future income; or

(3) Annualizing the projected earnings of the applicant for the next 12-month period as verified according to He-C 6910.09(g).

(i) Income that is annualized at initial application shall determine the family cap amount and shall not be recalculated during the 12-month eligibility period except when the applicant experiences a permanent job loss.

APPENDIX

Rule	Specific State or Federal Statutes or Regulations the Rule Implements
He-C 6910.06	RSA 167:3-c, I; RSA 167:4, I(a); RSA 167:79, II; RSA 167:80, IV(h)